

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DESIGNATION FORM

(to be used by counsel to indicate the category of the case for the purpose of assignment to the appropriate calendar)

Address of Plaintiff: Texas

Address of Defendant: Pennsylvania; Florida

Place of Accident, Incident or Transaction: Pennsylvania

RELATED CASE IF ANY:

Case Number: 2:23-cv-5039; MDL 3099 Judge: Hon. John M. Young Date Terminated

Civil cases are deemed related when **Yes** is answered to any of the following questions:

- | | | | | | |
|----|---|-----|--------------------------|----|-------------------------------------|
| 1. | Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court? | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |
| 2. | Does this case involve the same issue of fact or grow out of the same transaction as a prior suit Pending or within one year previously terminated action in this court? | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |
| 3. | Does this case involve the validity or infringement of a patent already in suit or any earlier Numbered case pending or within one year previously terminated action of this court? | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |
| 4. | Is this case a second or successive habeas corpus, social security appeal, or pro se case filed by the same individual? | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |

I certify that, to my knowledge, the within case ☒ **is** / ☐ **is not** related to any now pending or within one year previously terminated action in this court except as note above.

DATE: 02/23/2024 /s/ Mark B. DeSanto 320310

Attorney-at-Law (Must sign above)

Attorney I.D. # (if applicable)

Civil (Place a \checkmark in one category only)

A. Federal Question Cases:

- | | | | |
|--------------------------|--|-------------------------------------|--------------|
| <input type="checkbox"/> | 1. Indemnity Contract, Marine Contract, and All Other Contracts) | <input type="checkbox"/> | 1. Insurance |
| <input type="checkbox"/> | 2. FELA | <input type="checkbox"/> | 2. Airplane |
| <input type="checkbox"/> | 3. Jones Act-Personal Injury | <input type="checkbox"/> | 3. Assault |
| <input type="checkbox"/> | 4. Antitrust | <input type="checkbox"/> | 4. Marine |
| <input type="checkbox"/> | 5. Wage and Hour Class Action/Collective Action | <input type="checkbox"/> | 5. Motor |
| <input type="checkbox"/> | 6. Patent | <input checked="" type="checkbox"/> | 6. Other |
| <input type="checkbox"/> | 7. Copyright/Trademark | <input type="checkbox"/> | 7. Product |
| <input type="checkbox"/> | 8. Employment | <input type="checkbox"/> | 8. All Other |
| <input type="checkbox"/> | 9. Labor-Management Relations | | |
| <input type="checkbox"/> | 10. Civil Rights | | |
| <input type="checkbox"/> | 11. Habeas Corpus | | |
| <input type="checkbox"/> | 12. Securities Cases | | |
| <input type="checkbox"/> | 13. Social Security Review Cases | | |
| <input type="checkbox"/> | 14. Qui Tam Cases | | |
| <input type="checkbox"/> | 15. All Other Federal Question Cases. (Please specify): | | |

B. Diversity Jurisdiction Cases:

- ☐ 1. Insurance Contract and Other Contracts
- ☐ 2. Airplane Personal Injury
- ☐ 3. Assault, Defamation
- ☐ 4. Marine Personal Injury
- ☐ 5. Motor Vehicle Personal Injury
- ☒ 6. Other Personal Injury (*Please specify*): Data Breach
- ☐ 7. Products Liability
- ☐ 8. All Other Diversity Cases: (*Please specify*)

ARBITRATION CERTIFICATION

(The effect of this certification is to remove the case from eligibility for arbitration)

I, Mark B. DeSanto, counsel of record *or* pro se plaintiff, do hereby certify:

☒ Pursuant to Local Civil Rule 53.2 § 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs:

☐ Relief other than monetary damages is sought.

DATE: 02/23/2024 /s/ Mark B. DeSanto 320310
Attorney-at-Law (Sign here if applicable) *Attorney ID # (if applicable)*

NOTE: A trial de novo will be a jury only if there has been compliance with F.R.C.P. 38.